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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/576,036	07/24/2006	Susanne Kronenberg	3926246	7260
30448	7590	11/16/2006	EXAMINER	
AKERMAN SENTERFITT P.O. BOX 3188 WEST PALM BEACH, FL 33402-3188			JACKSON, JAKIEDA R	
			ART UNIT	PAPER NUMBER
			2626	

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/576,036	Applicant(s) KRONENBERG ET AL.	
	Examiner Jakieda R. Jackson	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 7-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because of the following informalities:

The specification describes the background of the invention, description of related art and the summary of the invention, however, does not give a description of the invention. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 7-12** are rejected under 35 U.S.C. 102(b) as being anticipated by Surace et al. (USPN 6,144,938), hereinafter referenced as Surace.

Regarding **claim 7**, Surace discloses a method for user-adaptive dialog guidance for a speech dialog system (dialog interaction; column 3, lines 62-66), in which a speech prompt is output by the speech dialog system (prompt is selected for output; column 10, lines 60-64), wherein in response to this the speech dialog system waits for an utterance by the system user, for which purpose a speech recognition system is activated in order to understand the utterance by the user (includes terms that are recognized by voice user interface; column 10, lines 60-64), wherein the system

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differentiates inexperienced (novice) and experienced users (expert; column 9, lines 3-24) and outputs a detailed prompt to inexperienced users (prompts become longer), while it uses a shortened prompt for experienced users (prompts become shorter), characterized in that a dialog step with a shortened prompt is initialized on the part of the speech dialog system (prompts should become shorter), after which a detailed prompt is output if there is no utterance by the system user in response to the shortened prompt after a specific time (column 10, lines 26-36 with appropriate length; column 9, lines 3-24 and columns 25-26).

Regarding **claim 8**, Surace discloses a method wherein the shortened prompt occurs in the form of a short audible signal (length of prompts should become shorter; column 10, lines 26-36).

Regarding **claim 9**, Surace discloses a method wherein if the system user repeatedly fails to make an utterance in response to the shortened prompt (having trouble), the time period for the speech recognition timeout after which a detailed speech output occurs is shortened (column 10, lines 26-63 with column 22, lines 50-60).

Regarding **claim 10**, Surace discloses a method wherein the time period for the speech recognition system timeout is shortened as the number of instances in which there is no utterance in response to the shortened prompt (user has not provided a response) increases and occurs in a plurality of stages (column 22, lines 500-60).

Regarding **claim 11**, Surace discloses a method wherein if the system user already responds to the shortened prompt (lengths of prompts become shorter) the time

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period for the speech recognition system timeout is prolonged (column 10, lines 26-36 with column 22, lines 50-60).

Regarding **claim 12**, Surace discloses a method wherein the speech dialog system is configured in such a way that the system user can interrupt the outputting of the prompt by prematurely inputting a speech utterance (interrupt/barge-in; column 7, lines 48-61).

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 7-8 and 12** are *alternately* rejected under 35 U.S.C. 102(e) as being anticipated by Johnston (USPN 6,603,836).

Regarding **claim 7**, Surace discloses a method for user-adaptive dialog guidance for a speech dialog system, in which a speech prompt is output by the speech dialog system (output a prompt; column 5, lines 49-58), wherein in response to this the speech dialog system waits for an utterance by the system user (the speech recognizer recognize the word), for which purpose a speech recognition system is activated in

order to understand the utterance by the user (column 4, lines 43-49), wherein the system differentiates inexperienced (inexperienced user; column 4, lines 54-60) and experienced users (user who is more familiar; column 6, lines 11-26) and outputs a detailed prompt to inexperienced users (figure 2), while it uses a shortened prompt for experienced users (figure 3), characterized in that a dialog step with a shortened prompt is initialized on the part of the speech dialog system (column 6, lines 11-57), after which a detailed prompt is output if there is no utterance by the system user in response to the shortened prompt after a specific time (column 6, lines 7-57).

Regarding **claim 8**, Surace discloses a method wherein the shortened prompt occurs in the form of a short audible signal (figure 8).

Regarding **claim 12**, Surace discloses a method wherein the speech dialog system is configured in such a way that the system user can interrupt the outputting of the prompt by prematurely inputting a speech utterance (interrupts by saying the word; column 6, lines 28-39).


***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jakieda R. Jackson whose telephone number is 571.272.7619. The examiner can normally be reached on Monday through Friday from 7:30 a.m. to 5:00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571.272.7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JRJ  
November 7, 2006

  
**DAVID HUDSPETH  
SUPERVISORY PATENT EXAMINER  
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